

Remarks

The claims of this application have been rejected under 35 U.S.C. § 102 based on Thorpe (US 2004/0193253A1), Marquez (US 6,736,845 B2) and Lobbi (US 2004/0186563A1) in each instance based on the Examiner's understanding that:

a segment is being interpreted as being fragment, portion or part of an ellipse.

Independent claim 1 has been amended in order to clarify that applicants' valve assembly design is a complete, flared ellipse in shape. As shown in Fig. 17, for example, the anchoring structure is shown to be made up of three flared ellipses. This flaring is toward the proximal and distal ends of the ellipse, and the three ellipses are joined, side by side substantially midway between the proximal and distal ends of the ellipse in a substantially straight area of the ellipse.

See also the description of such a "potato chip" shape at the first two complete sentences of paragraph 00107 at page 29:

Each elliptical segment (71) is flared outward at the proximal (72) and distal ends (73) of the anchoring structure and curved inward at the junctures (74) with the other segments (71) assuming the shape of a potato chip. When joined together side by side, the elliptical segments (71) form a tubular structure that is flared outward at both the inflow (72) and outflow (73) ends.

It is submitted that the cited prior art does not disclose the structure claimed in amended claim 1. Claims 5 and 8 (claim 8 not corresponding to species 5 as currently pointed out by the examiner) have been cancelled.

Allowance of claims 1, 3-4, 6-7 and 9-13 is earnestly solicited.

Patent
Attorney Docket: 816020-100046-US

Respectfully submitted,

JONES DAY

Dated: July 26, 2005

By: Coe A. Bloomberg

Coe A. Bloomberg
Reg. No. 26,605

Suite 4600
555 W. Fifth Street
Los Angeles, CA 90013-1025
(213) 489-3939